

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

CARGILL, INCORPORATED

And

Case 17-CA-088608

**INTERNATIONAL CHEMICAL WORKERS
UNION COUNCIL/UFCW LOCAL 188C,
affiliated with UNITED FOOD AND
COMMERCIAL WORKERS UNION,
AFL-CIO**

ORDER¹

The Respondent's Request for Special Permission to Appeal from Administrative Law Judge Melissa M. Olivero's December 20, 2013 rulings is denied. The Respondent has failed to establish that the judge abused her discretion in ruling that the unfair labor practice hearing scheduled for January 7, 2014 should proceed, and that evidence should be presented with respect to both the Respondent's argument that the complaint should be dismissed under *Spielberg Mfg. Co.*, 112 NLRB 1080, 1082 (1955), and *Olin Corp.*, 268 NLRB 573, 574 (1984), and the merits of the underlying unfair labor practice allegations.

Dated, Washington, D.C., January 3, 2014.

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III, MEMBER

NANCY SCHIFFER, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.